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# GOVERNMENT GAZETTE

## BOLETIM OFICIAL

### GOVERNMENT OF GOA, DAMAN AND DIU

Finance (Revenue) Department

#### Notification

Fin(Rev)/2-36/AR/1/2047/68

In exercise of the powers conferred by the First proviso to sub-section (1) of section 7 of the Goa, Daman and Diu Sales Tax Act, 1964 the Administrator of Goa, Daman and Diu is pleased to make the following amendment to the entry in the First Schedule appended to the said Act, namely:—

In entry No. 31, for the words «Leather goods other than footwear» the words «Leather goods other than footwear and sports goods» shall be substituted.

This Notification shall come into force with effect from the 16th October, 1969.

By order and in the name of the Administrator of Goa, Daman and Diu.

Puran Singh, Finance Secretary.

Panaji, 6th October, 1969.

Revenue Department

#### Notification

RD/BLDG/173/69

In exercise of the powers conferred by sub-section (2) of section 3 of the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968, the Administrator of Goa, Daman and Diu is hereby pleased to exempt all buildings which are owned by an industrial or commercial undertaking and are being used for residential accommodation of the employees of the undertaking and the rent recovered from an employee for such residential accom-

modation provided to him in such building does not exceed ten per cent of his basic wages received from the undertaking, from all the provisions of the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

W. G. Ranadive, Secretary (Revenue).

Panaji, 8th October, 1969.

16th Asvn., 1891 (Saka).

Law and Judicial Department

#### Notification

LD/2/N/44/69

The Coal Bearing Areas (Acquisition and Development) Amendment Act, 1969 which was recently passed by Parliament and assented to by the President of India on 11th August, 1969 is hereby published for general information of the Public.

M. S. Borkar, Under Secretary.

Panaji, 22nd September, 1969.

The Coal Bearing Areas (Acquisition And Development)  
Amendment Act, 1969

AN  
ACT

further to amend the Coal Bearing Areas (Acquisition and Development) Act, 1957.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Coal Bearing Areas (Acquisition and Development) Amendment Act, 1969.

2. *Amendment of section 28.*—In the Coal Bearing Areas (Acquisition and

Development) Act, 1957 (hereinafter referred to as the principal Act), in section 28, —

(a) in sub-section (3), for the portion beginning with "in respect of such land;" and ending with "or any part thereof,"

the following shall be, and shall be deemed always to have been substituted, namely: —

"in respect of such land or of any rights in or over such land; and the Central Government may at any time make a declaration under section 9 of this Act in respect of the land or any part thereof or any rights in or over such land or part;"

(b) after sub-section (3), the following sub-section shall be, and shall be deemed always to have been, inserted, namely: —

"(3A) Where in respect of any land covered by any notification issued under section 4 of the said Act, no objection has been preferred under section 5A thereof within the period specified in that section, then it shall be deemed that a notification had been issued under section 7 of this Act in respect of such land or of any rights in or over such land and that no objection to the acquisition of the land or any rights in or over the land had been preferred under section 8 of this Act, and accordingly the Central Government may at any time make a declaration under section 9 of this Act in respect of the land or any part thereof or any rights in or over such land or part."

3. *Validation of certain acquisitions.* — Notwithstanding any judgment, decree or order of any court, every acquisition of land or the rights in or over land made by the Central Government in pursuance of the notifications of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) Nos. S.O. 1759 and S.O. 25, dated the 7th August, 1958, and the 22nd December, 1959 respectively made under section 9 of the principal Act, shall be, and shall be deemed always to have been, as valid as if the provisions of section 28 thereof as amended by this Act were in force at all material times when such acquisition was made and shall not be called in question in any court of law on the ground only that before issuing such notifications no notification was issued under section 7 of the principal Act in relation to the land or rights in or over such land covered by the said notifications Nos. S.O. 1759 and S.O. 25.

#### Notification

LD/2/N/45/69

The Unlawful Activities (Prevention) Amendment Act, 1969 which was recently passed by the Parliament and assented to by the President of India on 13th August, 1969 is hereby published for general information of the public.

M. S. Borkar, Under Secretary.

Panaji, 22nd September, 1969.

The Unlawful Activities (Prevention) Amendment Act, 1969

AN

ACT

to amend the Unlawful Activities (Prevention) Act, 1967.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows: —

1. **Short title.** — This Act may be called the Unlawful Activities (Prevention) Amendment Act, 1969.

2. **Amendment of section 1.** — In section 1 of the Unlawful Activities (Prevention) Act, 1967 (hereinafter referred to as the principal Act), for sub-section (2), the following sub-section shall be substituted, namely: —

"(2) It extends to the whole of India.

Provided that it shall come into force in the State of Jammu and Kashmir on such date as the Central Government may, by notification in the Official Gazette, appoint."

3. **Insertion of new section 2A.** — In the principal Act, in Chapter I, after section 2, the following section shall be inserted, namely: —

"2A. **Construction of references to laws not in force in Jammu and Kashmir.** — Any reference in this Act to a law which is not in force in the State of Jammu and Kashmir shall, in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State."

#### Office of the Chief Electoral Officer

#### Notification

ELN/SYM/68

The following Notification No. 56/69-VIII dated the 27th September, 1969, issued by the Election Commission of India, New Delhi, is hereby published for general information.

R. L. Segel, Law Secretary and Chief Electoral Officer.

Panaji, 8th October, 1969.

16th Asvina, 1891 (Saka).

#### Election Commission of India

New Delhi, dated the 27th September, 1969

#### Notification

In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following

amendment in its notification No. 56/69-II (S. O. 89), dated the 4th January, 1969, namely:—

In Table 3, against the entry "1. Andhra Pradesh" for the entries "(5) Two leaves and (6) Elephant", the entries "(5) Two leaves, (6) Elephant and (7) Flower" shall be substituted and shall be deemed to have been substituted with effect from the 12th September, 1969.

[No. 56/69-VIII]

By order,

ROSHAN LAL

Secretary.

### Legislative Assembly of Goa, Daman and Diu

#### Legislature Department

LA/A/7/2350/69

The following Report of the Select Committee on Bill, Bill No. 7 of 1969 (The Goa, Daman and Diu Administration of Evacuee Property (Amendment) Bill, 1969) along with the bill as amended by the Select Committee which was presented to the Legislative Assembly of Goa, Daman and Diu on 6th October 1969 is hereby published for general information in pursuance of the provisions of rule 260 of the Assembly Rules.

(Bill No. 7 of 1969)

#### A BILL

Further to amend the Goa, Daman and Diu Administration of Evacuee Property Act, 1964.

#### COMPOSITION OF THE SELECT COMMITTEE

- 1) Shri D. B. Bandodkar, Chief Minister — Minister in-charge of the Bill, (Chairman)
- 2) Shri Anthony J. D'Souza (Minister for Law)
- 3) Smt. Elu J. Miranda, M. L. A.
- 4) Shri Leo Velho, M. L. A.
- 5) Shri N. S. Fugro, M. L. A.
- 6) Shri D. K. Chopdenkar, M. L. A.
- 7) Shri R. S. Fernandes, M. L. A.
- 8) Shri Gajanan Patil, M. L. A.

#### SECRETARIAT

#### Law and Legislature Department

Shri R. L. Segel, Secretary.

Shri V. L. Dandwate, Under Secretary.

#### REPORT OF THE SELECT COMMITTEE

As Chairman of the Select Committee to which Bill No. 7 of 1969 (a Bill further to amend the Goa,

Daman and Diu Administration of Evacuee Property Act, 1964) was referred, I have the honour on behalf of the Select Committee, to present this Report to the Legislative Assembly together with the Bill, as amended by the Committee.

2. The Bill was introduced in the Legislative Assembly on 17th September 1969. The Motion for reference of the Bill to the Select Committee was passed by the House on 24th September, 1969.

3. All the Honourable Members of the Legislative Assembly were requested to send in their amendments and suggestions, if any, to the Committee on or before the 29th September, 1969. The members of the public, including lawyers were also requested through a Press Note as well as by a broadcast on the local station of All India Radio to offer their views and to send in their suggestions, if any, on or before the 29th September, 1969. The Committee did not have the benefit of the suggestions and representations either from the Honourable Members of the Legislative Assembly or the members of the public including lawyers.

4. The Committee held 4 sittings in all. The first sitting was held on 25th September, 1969, for discussing certain preliminary matters and for settling the procedure. At the sittings held on 29th and 30th September, 1969 the provisions of the Bill were discussed. The Committee finalised the amendments to be incorporated in the Bill and adopted the Report on the last sitting held on 3rd October, 1969.

5. The Committee has the following observations to make in regard to the various clauses of the Bill.

6. Clause 2. The Committee discussed the question as to whether the Goa, Daman and Diu Administration of Evacuee Property Act, 1964 had any application to any Indian national who goes out of India on Indian passport. The Committee was explained the scheme of the Act and the proposed amendment to clause 2 of the Bill under consideration and it was clarified that the Act and the Bill under consideration had no application to such a case. The Committee thereafter accepted the explanation. The Committee, therefore, feels that there is no need of amending this clause and it may stand as it is.

7. Clause 3. It was explained to the Committee that the amendment proposed in clause 3 of the Bill under consideration has been proposed to plug the lacuna in respect of certain cases where there is a difference in between the date of transfer of property and the date of notice under section 5, and it was to prevent unjust enrichment. The Committee, keeping in view this explanation and the clarification given in respect of clause 2 as aforementioned, was satisfied that there was no need of making any amendment to this clause and it may stand as it is.

8. Clause 4 — sub-clause (a) Item (a) of clause 4 of the Bill under consideration was discussed in detail. The Committee decided that to safeguard the interests of the employees and the persons concerned and keeping in view the purpose for which

the amendment has been brought before the Honourable House, for item (a) of clause 4 the following shall be substituted, namely:—

“(a) after clause (i), the following proviso shall be added, namely:—

“Provided that no amount shall be paid to any employee of the evacuee and no debt shall be paid to any person, unless the Custodian is satisfied that such amount or such debt, as the case may be, is due by the evacuee to such employee or such person, as the case may be”.

9. Clause 5. The Administrative Department assures to the Committee that they have appointed the Administrative Tribunal for the purpose in view and it would continue to function as before. In case the Administrative Tribunal is not able to cope up with the work, Government would ordinarily appoint a Tribunal of more than two persons. The Committee accepted this assurance and felt that this clause may be retained as it is.

10. Clause 6. It is only a consequential clause and the Committee felt that it needs no change and may be kept as it is.

11. The Committee would like to place on record its appreciation for the assistance rendered by the Law Secretary in their deliberations and also for the work done by the Under Secretary, Legislature and the Under Secretary, Home.

Assembly Hall      D. B. BANDODKAR  
Panaji, October 3, 1969.      Chairman

#### MINUTE OF DISSENT

by

Shri Leo Velho, M. L. A.  
Smt. Eli Miranda, M. L. A.

and

Shri R. S. Fernandes, M. L. A.

We have the strongest reservations about and objection to the principles and objectives of this amending bill.

The original Act expressly states that an «evacuee» shall be a person who is not an Indian Citizen.

In his speech, placing the Bill before the House, the Minister in charge stated:

“Under the provision of section 2(b) of the above mentioned Act, as it stands today, Indian Citizens are exempted from the operation of the provisions of the Evacuee Property Act. Before, therefore, taking action under the said Act, against a person, the question of his citizenship is required to be determined by the Central Government under the Citizenship Act, 1955. In order to avoid these formalities it is proposed to suitably amend the sub-clause (b) of Section 2 of the Principal Act”.

By self confession, the objective of the amending bill is the defeat of the very purpose of the original act. A more objectionable objective would be very hard to find.

It is to us a matter of shocked concern, that, where a law specifically excludes application of the provisions of an enactment to citizens of this country, the fact that determination of citizenship vests with the Central Government under a law passed by Parliament, should be used as justification, to change the entire concept of the original Act and by the drastic, unwarranted, unjustified and untenable measure, of including Indian Citizens into the definition of «evacuee».

If we accept such an inclusion, we shall be accepting the dangerous concept that there may be Indian citizens who have left Goa, Daman and Diu “on account of liberation of Goa, Daman and Diu”. The political repercussions of this acceptance are better left unmentioned.

The clarification given to the Select Committee that the Act as proposed to be amended by clause 2 of this bill would have no application to any Indian citizen who goes out of India on an Indian passport is to us unacceptable. In our considered opinion, this clarification is misleading and incorrect.

We are thus faced with the alarming proposal that the fundamental right of the Indian citizen to property be frittered away by legislation allowing the Government to tamper with this right by executive fiat. To such a proposal, we just cannot be a party.

The added fact that the power that will be made available to Government, is almost unfettered, and capable of being exercised on the flimsiest of grounds, is bound to result in the greatest mischief and hardships.

We, therefore, vehemently oppose the inclusion of Indian citizens within the scope of “evacuee”.

The stated object of the amendment to section 6 is to ensure “that the person to whom such property was transferred does not enjoy the benefits of the same from the date of transfer till a notice is issued by the Custodian”. With this objective we disagree, as we feel it is unjust to deny to the purchaser the benefit of his asset bought in good faith, and later declared to be evacuee property.

The stated object of the amendment to section 8(2)(i), is “to ensure that unnecessary claims are not made payable by the custodian”. To this we raise the strongest objection. In our opinion, the custodian must discharge the responsibility of paying all possible debts of the evacuee, and not only secured debts. To attempt to slip away from this responsibility by an amendment to the law, appears to us to be contrary to the very principles of justice.

In the proposed insertion of (ii) after clause (1) of Section 8, power is sought to be given to the custodian to sell the entire property. Such power

amounts to granting to the custodian the right to sell the portion of an asset not belonging to an evacuee. We feel that this is excessive power, contrary to fundamental rights, and should be deleted.

The amendments proposed to Section 22 and 37 are a classic example of how Government tries to circumvent jurisdiction of courts by appointment of tribunals, for which no qualifications or limits are prescribed in the law. We, therefore, are opposed to these amendments.

This amending bill contains measures of far reaching consequence, with most undesirable results, and we recommend to the House its rejection.

LEO VELHO, M. L. A.

ELU MIRANDA, M. L. A.

R. S. FERNANDES, M. L. A.

[NOTE.— Deletion made by the Select Committee is shown in square brackets and addition is underlined].

### The Goa, Daman and Diu Administration of Evacuee Property (Amendment) Bill, 1969

(Bill No. 7 of 1969)

(As amended by the Select Committee)

A Bill further to amend the Goa, Daman and Diu Administration of Evacuee Property Act, 1964.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twentieth Year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Goa, Daman and Diu Administration of Evacuee Property (Amendment) Act, 1969.

(2) This section and section 2, section 3 and clause (a) of section 4 shall be deemed to have come into force on the 24th December, 1964, and the rest of this Act shall come into force at once.

2. **Amendment of section 2.**— In the Goa, Daman and Diu Administration of Evacuee Property Act, 1964 (hereinafter referred to as the principal Act), in section 2, —

(a) in clause (b), —

(i) in the opening paragraph, the words 'who is not an Indian citizen and' shall be omitted;

(ii) in Explanation II, for the word 'grainful', the word "gainful" shall be substituted;

(b) after clause (h), the following clause shall be inserted, namely:—

"(hh) 'person' includes —

(i) an individual,

(ii) a Hindu undivided family,

(iii) a company,

(iv) a firm,

(v) an association of persons or a body of individuals, whether incorporated or not,

(vi) a local authority, and

(vii) every artificial juridical person, not falling within any of the preceding sub-clauses;"

3. **Amendment of section 6.**— In section 6 of the principal Act, in sub-section (1), for clause (b), the following clause shall be substituted, namely:—

"(b) in the case of property of an evacuee as defined in sub-clause (ii) of clause (b) of section 2, from the date of such transfer;"

4. **Amendment of section 8.**— In section 8 of the principal Act, in sub-section (2), —

[(a) in clause (i), the words "or of any amounts due to any employee of the evacuee or of any debt due by the evacuee to any person" shall be omitted;]

(a) after clause (i), the following proviso shall be added, namely:—

"Provided that no amount shall be paid to any employee of the evacuee and no debt shall be paid to any person, unless the Custodian is satisfied that such amount or such debt, as the case may be, is due by the evacuee to such employee or such person, as the case may be.";

(b) after clause (l) the following clause shall be inserted, namely:—

"(ll) dispose of the claim of co-sharer or partner in any property by purchase of non-evacuee share or by sale of evacuee share, either to the co-sharer or to any other person, or by selling the entire property and distributing the sale proceeds to the claimant according to his share, or by partitioning the property or take all such measures as he may consider necessary for the purpose of separating the interests of the evacuee from those of the claimants:

Provided that the Custodian shall not pass any order under this clause unless the co-sharer or partner in the property has been given reasonable opportunity of being heard;"

5. **Substitution of new sections of section 22.**— For section 22 of the principal Act, the following sections shall be substituted, namely:—

"22. **Appeals.**— Any person aggrieved by an order made under section 5, clause (ll) of sub-section (2) of section 8, section 18, section 31 or section 39, by the Custodian may prefer an appeal, in such manner, and within such time, as may be prescribed, to the tribunal constituted under section 22A and the decision of the tribunal shall be final.

22A. **Appointment of Tribunal.**— The Government may appoint any person or body of persons as tribunal under this Act."

6. Amendment of section 37. — (a) Section 37 of the principal Act may be renumbered as sub-section (1) of that section and in sub-section (1) as so renumbered, in clauses (b) and (c), after the word "Government", the words "or the tribunal" shall be inserted;

(b) after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely: —

"(2) Save as otherwise expressly provided in this Act, every order made by the Government or the tribunal or the Custodian under this Act shall be final and shall not be called in question in any court by way of appeal or revision or in any original suit or application or execution proceedings."

LA/A/7/2386/69

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 7th October, 1969, is hereby published for general information in pursuance of the provisions of rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

### THE GOA, DAMAN AND DIU APPROPRIATION (EXCESS EXPENDITURE) BILL, 1969

(Bill No. 17 of 1969)

A BILL to provide for the authorisation of appropriation of moneys from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu to meet the amounts spent on certain services during the year 1966-67 in excess of the amounts granted for those services and for that period.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the twentieth year of the Republic of India as follows: —

1. **Short title.** — This Act may be called the Goa, Daman and Diu Appropriation (Excess Expenditure) Act, 1969.

2. **Issue of Rs. 36,312 out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu to meet excess expenditure for the year 1966-67.** — From and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu, the sums specified in column 5 of the Schedule amounting in the aggregate to the sum of thirty six thousand, three hundred and twelve rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column 2 of the Schedule for the year 1966-67 in excess of the amounts granted for those services and for that period.

3. **Appropriation.** — The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu under this Act, shall be deemed to have been appropriated for the services and purposes expressed in the Schedule for the year 1966-67.

### THE SCHEDULE

(See Sections 2 & 3)

| No. of Vote   | Services and purposes | Sums not exceeding |   |  |
|---|-----------------------|--------------------|---|--|
|   |                       | Voted by Assembly  | Charged on the Consolidated Fund of the Union territory of Goa, Daman and Diu | Total Excess over grants/appropriation |
| 1   | 2                     | 3                  | 4   | 5                                      |
|   |                       | Rs.                | Rs.   | Rs.                                    |
| 11 — Jails .....  |                       | 5,740              | —   | 5,740                                  |
| 23 — Community Development Projects, National Extension Service and Local Development works |                       | 9,608              | —   | 9,608                                  |
| 31 — Pensions and Other Retirement Benefits .....   |                       | 8,216              | —   | 8,216                                  |
| 32 — Stationery and Printing .....  |                       | 242                | —   | 242                                    |
| 43 — Capital Outlay on Ports .....  |                       | 12,506             | —   | 12,506                                 |
| Total .....   |                       | 36,312             | —   | 36,312                                 |

### Financial memorandum

The provisions of Rs. 36,312 included in the Bill relates to the amounts appropriated for certain services and purposes expressed in the Schedule during the year 1966-67, over and above the amounts granted for the services for the said period. The amounts mentioned above consists of Rs. 23,806 on Revenue Account and Rs. 12,506 on Capital Account for the said year.

### Statement of objects and reasons

The Demands for Excess Grants for the expenditure of this Union territory for the year 1966-67 were presented to the Legislative Assembly on 1969. They have since been discussed and voted by the Assembly. This Appropriation Bill is, therefore, introduced in pursuance of Section 29(1) of the Government of Union territories Act, 1963 to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the Union territory of Goa, Daman and Diu to meet the amounts spent on certain services during the year 1966-67 in excess of the amounts granted for those services and for that period.

The Administrator has, in pursuance of sub-section (1) of Section 23 of the Act *ibid*, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

DAYANAND B. BANDODKAR

Chief Minister

Assembly Hall

Panaji,

13th October, 1969.

R. L. SEGEL

Secretary to the Legislative  
Assembly of Goa, Daman and Diu.



Administrator's recommendation under section 23 of the Goa, Daman and Diu Union Territories Act, 1963.

In exercise of the powers conferred upon him by sub-section (1) of section 23 of the Government of Union Territories Act, 1963, the Administrator of Goa, Daman and Diu has recommended to the Legislative Assembly of Goa, Daman and Diu the introduction and consideration of the Goa, Daman and Diu Appropriation (Excess Expenditure) Bill, 1969.

LA/A/7/2388/69

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 7th October, 1969 is hereby published for general information in pursuance of the provisions of rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

### THE GOA, DAMAN AND DIU SUPPLEMENTARY APPROPRIATION BILL, 1969

(Bill No. 18 of 1969)

A BILL to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the services and purposes of the financial year 1969-70.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the twentieth year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Supplementary Appropriation Act, 1969.

2. **Issue of Rs. 400 out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the financial year 1969-70.**—From and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu there may be paid and applied sums not exceeding those specified in column 5 of the Schedule amounting in the aggregate to the sum of four hundred rupees towards defraying the several charges which will come in course of payment during the financial year 1969-70 in respect of the services and purposes specified in column 2 of the Schedule.

3. **Appropriation.**—The sum authorised to be paid and applied from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu, by this Act shall be appropriated for the services and purpose expressed in the Schedule in relation to the said year.

#### THE SCHEDULE

(See Sections 2 and 3)

| No. of vote | Services and purposes  | Sums not exceeding |   |         |
|-------------|------------------------|--------------------|---|---------|
|             |                        | Voted by Assembly  | Charged on the Consolidated Fund of the Union Territory of Goa, Daman and Diu | Total   |
| 1           | 2                      | 3                  | 4   | 5       |
| 9           | General Administration | Rs. 400            | Rs.   | Rs. 400 |
|             | Total                  | 400                |   | 400     |

#### Financial memorandum

Provision is made in the Bill to appropriate for certain services and purposes expressed in the Schedule during the financial year ending 31st March, 1970, a sum of Rs. 400/- over and above the amounts granted for those services for the financial year 1969-70. The amount mentioned above relates to the Revenue Account. This includes amounts to the reimbursed to the Contingency Fund of this Union Territory towards advances made from that Fund.

#### Statement of objects and reasons

This Bill is introduced in pursuance of section 29(1) of the Government of Union Territories Act, 1963, to provide for the Supplementary Appropriation out of the Consolidated Fund of the Union territory of Goa, Daman and Diu of the moneys required to meet the amounts required on certain services during the financial year, 1969-70, in excess of the amounts granted for those services.

Panaji,

7th October, 1969.

Assembly Hall

Panaji,

13th October, 1969.

DAYANAND B. BANDODKAR

Chief Minister

R. L. SEGEL

Secretary to the Legislative Assembly of Goa, Daman and Diu.

Administrator's recommendation under section 23 of the Goa, Daman and Diu Union Territories Act, 1963.

In exercise of the powers conferred upon him by sub-section (1) of section 23 of the Government of Union Territories Act, 1963, the Administrator of Goa, Daman and Diu has recommended to the Legislative Assembly of Goa, Daman and Diu the introduction and consideration of the Goa, Daman and Diu Supplementary Appropriation Bill, 1969.

Legislative Assembly of Goa, Daman and Diu

A

BILL

To give effect to the financial proposal of the Government of Goa, Daman and Diu, for the financial year 1969-70.

The Administrator has, in pursuance of sub-section (1) of Section 23 of the Government of Union Territories Act, 1963, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

R. L. SEGEL

Secretary, Legislature Department

Food and Civil Supplies Department

Directorate of Education

#### Notification

DE/CUL/D-2/26/69

The rules for the recognition of and payment of grant-in-aid to libraries of the Union Territory of

Goa, Daman and Diu, approved by the Government of India in the Ministry of Education and Youth Services, New-Delhi, vide letter No. F.59-52/65-BSE. 5 dated 20th August, 1969 are hereby published for information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

Panaji, 12th September, 1969.

### Rules for recognition and grant-in-aid to Libraries

1. (1) There shall be a net work of libraries — (a) Central Library, Taluka or Concelho Library & Village Library.

(b) In each Concelho there shall be a recognised Taluka Library. In addition other libraries may be recognised for the purpose of grant if the Director of Education/Curator of Libraries is convinced of the need for such libraries.

(c) Each village having more than 1000 population shall have a library which shall be managed by Gram Panchayat. Where the population is less than 1000 two or more villages can have a library.

2. The function of the Central Libraries. — (a) To maintain the copyright collection of books published in Goa, Daman and Diu.

(b) To maintain an up-to-date reading room and Library having collection of reference books and books for general readers — Books in English, Hindi, Portuguese, Marathi, Gujarathi, Konkani, French and Sanskrit. A children's Corner shall also be developed to enable reading habits being acquired in childhood.

(c) To maintain and preserve manuscripts and rare books.

(d) To promote library movement through lectures, seminars, symposiums, discussions, brain trusts etc.

(e) To conduct classes for training of librarians.

(f) To offer guidance to recognised libraries particularly in regard to cataloguing and bibliographical information.

3. The functions of the recognised libraries. —

(a) To cultivate reading habits among the citizens.

(b) To maintain an up-to-date reading room and an adequate collection of suitable books on varied subjects including standard and reference books. A children's corner should be developed, as far as possible, to enable reading habits being acquired in childhood.

(c) To co-operate with other libraries in the library Scheme in general and particularly in the matter of exchange of books on loan and bibliographical information.

(d) To participate in library activities calculated to promote the spread of knowledge such as discussion groups, brain trusts, etc.

4. Management. — Unless otherwise considered necessary, the management of the Taluka Libraries shall be in the hands of a municipality or a suitable body registered under the Societies Registration Act and/or the Public Trust Act and the management of

the village libraries in the hands of Gram Panchayat on conditions here-in-after mentioned and such other conditions as Government may be pleased to lay down from time to time.

5. Housing of the Library. — The Library should be housed in a suitable building having proper lighting, ventilation and sufficient space for accommodating readers and research students. Adequate arrangements by way of safety precautions against fire, white-ants, pest etc. should also be made.

6. Storing of books. — The management should be required to arrange the books duly classified and catalogued by approved methods, to the satisfaction of Government and to arrange to keep them free from dust, pests etc.

7. Facilities for the public. — Books, periodicals etc. shall be made available free to all citizens, without distinction of caste, creed, sex, language, vocation or any of them for reading or reference on the library premises only. This will be without prejudice to the preferential rights or privileges, if any, of the members of the library. The catalogues of all books shall be kept freely accessible to all on the library premises.

8. Restriction on the use of the libraries premises. — The Library premises shall not be used or allowed to be used for purpose of any political meeting.

9. Prohibition of the purchase of certain type of books. — The following type of books shall not be purchased for use in recognised libraries:

(a) Literature considered obscene.

(b) Notes, guides, Keys, etc. published for the use of students which promote superficial reading.

(c) Horror Comics.

(d) Cheap detective fiction.

(e) Books of anti-national character.

Management shall purchase, as far as possible, books recommended by the Director of Education/Curator of Libraries.

### A distribution of Books to village Libraries:

Village libraries will be supplied books periodically by the Curator of Libraries through their mobile units. It will be duty of the Gram Panchayat to make arrangements for the circulation of books to villagers and collect them periodically for being delivered to the Curator for replacement.

10. Maintaining of records and registers. — The management shall maintain an accession register of all books purchased or received for the library and subsequently within a reasonable period not exceeding one month prepare separate classified catalogues according to subjects, titles and authors. The catalogues of the copyright collections shall be separate and in the prescribed form.

The accession register is to be maintained in a bound volume while the other catalogues may be in the card or books form, preferably the former maintained in proper cases. The books should be arranged



and numbered according to any of the standard systems with the approval of the Director of Education/Curator of Libraries.

Besides the catalogues, the management shall maintain the following registers or books: —

- (a) The usual account books viz: cash books, the journal and the Ledger.
- (b) Issue Register.
- (c) List of members.
- (d) Record of daily visitors or readers.
- (e) Record of research workers taking advantage of library.
- (f) Dead Stock Register.
- (g) Receipt book.
- (h) List of newspapers and periodicals.
- (i) Register of the permanent and semi permanent assets, acquired wholly or mainly out of Govt. grants.

11. **Submission of return.** — The management shall submit before a prescribed date an audited statement of accounts and the annual report for the previous year and also such other returns as may be required by the Director of Education/Curator of Libraries or any other officer of the Department.

12. **Inspections.** — The library shall be subject to inspection with or without previous notice by the Curator, his Assistant or any members of the Library Committee or Board appointed by Govt. or any Officer of the Education Department. The management will be required to make available on the library premises all records and registers etc. for the perusal and scrutiny of the inspection Officer.

The Curator of Libraries or the Inspecting Officer concerned will be required to submit to the Director of Education inspection report in the prescribed form. The audited accounts of the libraries will be subject to a test audit by Director of Accounts and Accountant General, Maharashtra State who is the Audit Office for the Union Territories of Goa, Daman and Diu.

13. **Library Staff.** — The management shall, as far as possible employ suitable trained librarians or get the existing staff adequately trained for their work.

#### 14. Grants. —

*Recurring: —*

(a) Taluka libraries will be paid grants at the rate of 75 per cent of the admissible expenditure during the previous year subject to a maximum of Rs. 5000/- per annum.

(b) Village libraries will be paid grants for maintaining reading rooms at 75 per cent of the admissible expenditure incurred during the previous year subject to a maximum of Rs. 200/-.

All grants will be subject to the availability of funds and also submission of certificate by the grantee specifying clearly that the organisation concerned was not/has not been sanctioned grant-in-aid for the same purpose by the Central Government or another department of the Union Territory Government during the period.

(c) Grant will be paid generally in two instalments, the first instalment being paid by 1st July after the report of the previous year's work and general statement of account is received. The second instalment will be paid in the month of October or later only

after the audited statement is received and the Curator is satisfied that any orders or instructions issued in the previous year's inspection report are fully complied with.

(d) Government grant shall be further subject to the condition that an amount not less than 75 per cent of the grant shall be spent on: —

- i) purchase of books, newspapers and periodicals and
- ii) binding of books and purchase of furniture essential for the proper use of the Library.

provided that the expenditure on item (II) does not exceed 7½ of the Government grants.

(e) A proportion of the grant may, at the discretion of Government, be given in the form of books and/or periodicals, which in the opinion of Government deserved to be placed in the libraries.

(NOTE) *Admissible items of expenditure: —*

(a) Pay and allowances to the staff, subject to the maximum that would be permissible according to the corresponding Government scales in the light of the qualifications, Service, etc. The Curator may disallow expenditure on such members of the staff who, in his opinion, are in excess of the minimum required for conducting the library efficiently.

(b) Rent, including rate and taxes certified as reasonable by the executive Engineer and only on that portion of the building for which no Government grant has been paid. Expenditure on minor repairs only when no rent is charged.

(c) Expenditure on purchase of books, periodicals, newspapers and any other reading or study material.

(d) Expenditure on preparation and printing of catalogues approved forms, annual reports, Statement of Accounts.

(e) Expenditure on requisite furniture for storing of books and for reading and for Office purposes and expenditure on repairs on the same but not exceeding 2½ per cent of its total cost.

(f) Reasonable expenditure on account of insurance premia for books and furniture and also for the building if the rent is not charged.

(g) Reasonable expenditure on contingencies such as stationery, miscellaneous, postage, electricity, insecticides etc.

(h) Miscellaneous expenses such as those in connection with organisation of discussion groups, symposium, brain trust etc.

(i) Expenditure on the training class for libraries.

*Withdrawal of recognition or grant-in-aid: —*

For failure to comply with the rules or any orders issued by the Curator may or an Officer of the Education Department or for unsatisfactory management of the library or any other defaults Government may withhold part or whole of the grant ordinarily payable to the library or even withdraw the recognition.

15. **Undertaking to be given by Managements.** — Managements will have to give an undertaking that on withdrawal of recognition by Government or their not wishing to continue it as a recognised library, they will hand over the entire material as has been considered as Government property to the Director

of Education on his nominee. The management will make good any loss or damage to Government property immediately after the periodical scrutiny by the management or Department or as soon as the loss is detected.

*Note.*— In the case of district and taluka libraries, Government property means only such of the books and other reading material as be given to the Library on loan or the assets acquired wholly or substantially out of Government grants.

Labour and Information Department

Mormugao Port Trust

Notification

MPT/3-GA(8)/69

In exercise of the powers conferred under Chapter VI of the Major Port Trusts Act, 1963 and with the

prior sanction of the Central Government, as required under Section 52 of the said Act, the following is added to the Schedule of Harbour and Railway Rates, published in the Bulletin Official No. 21, Series I, dated 31-5-1962 as amended from time to time:—

|          |                       |  |
|----------|-----------------------|--|
| Item No. | Tar Boiler of—        | Rs. 40/- per working   |
| 130      | 1,100 litres capacity | day of 8 hours and thereafter Rs. 8/- for every additional hour. |

*Note:*— The charges for the hire of 'Tar Boiler' do not include fuel and lubricants and all other accessories such as cotton waste etc., which will have to be supplied by the hirer. Only approved fuel and lubricants are to be used.

By order,

*Shivakumar Dhindaw*  
Secretary

Mormugao, 24th September, 1969.